



PATENT APPLICATION

IN THE U.S. PATENT AND TRADEMARK OFFICE

November 9, 2005

Applicant(s): Alice C. MARTINO et al

For: TABLET FORMULATION

Serial No.: 09/656 364 Group: 1617

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## **TERMINAL DISCLAIMER**

Sir:

I, the undersigned, state that I am the legal representative for Pharmacia & Upjohn Company LLC having a place of business at 7000 Portage Road, Kalamazoo, Michigan 49001, and empowered to act on behalf of Pharmacia & Upjohn Company LLC in making this Terminal Disclaimer, that Pharmacia & Upjohn Company LLC is the assignee of the entire right, title and interest in and to application Serial No. 09/656 364, filed September 6, 2000, by virtue of an assignment recorded on May 16, 2000 at Reel 010632, Frame 0070, and hereby certify, to the best of Pharmacia & Upjohn Company LLC's knowledge and belief, that title is in Pharmacia & Upjohn Company LLC and at the time the invention described and claimed in United States Patent No. 6 177 101 was made, all of the inventors of said claimed inventions were subject to an obligation to assign and convey the subject matter of

United States Patent No. 6 177 101 to Pharmacia & Upjohn Company LLC.

Pharmacia & Upjohn Company LLC hereby disclaims the terminal part of any patent granted on application Serial No. 09/686 364, and any continuations and divisions thereof, which would extend beyond the expiration date of United States Patent No. 6 177 101, issued on January 23, 2001, and any continuations or divisions thereof, and hereby agrees that any patent so granted on application Serial No. 09/636 364; and any continuations and divisions thereof, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6 177 101, and any continuations and divisions thereof, this agreement to run with any patent granted on application Serial No. 09/656 364, and any continuations or divisions thereof, and to be binding upon the grantee, its successors or assigns.

Pharmacia & Upjohn Company LLC does not disclaim any terminal part on any patent granted on application Serial No. 09/656 364 that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6 177 101 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Dated: November 9, 2005

  
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Sidney B. Williams, Jr.  
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